



CITY OF MELROSE
APPROPRIATIONS & OVERSIGHT COMMITTEE
AGENDA • DECEMBER 19, 2022

Council Chamber, First Floor, Melrose City Hall Committee Meeting
562 Main Street, Melrose, MA 02176

7:00 PM

I. CALL TO ORDER

Jen Grigoraitis	Chair
Leila Migliorelli	Vice Chair
Shawn M. MacMaster	
Jack Eccles	
Mark Garipay	
Maya Jamaledine	
Robb Stewart	
Manjula Karamcheti	
John Obremski	
Ryan Williams	
Christopher Cinella	President, ex officio

II. PUBLIC COMMENT

Remote Link for Public Comment:

<https://cityofmelrose-org.zoom.us/j/99081483447?pwd=Nm1hT3R1Z3l2cWJ3bTZkdVBzbW1Kdz09>

Meeting ID: 990 8148 3447

Password: Melrose

III. ORDERS

1. **ORDER-2023-41** : Acceptance of Massachusetts Department of Environmental Protection Recycling Dividend Program Grant in the amount of \$15,600

Offered by: Mayor Paul Brodeur

From: City Council

ASSIGNED TO COMMITTEE

2. **ORDER-2023-43** : An Appropriation from the Peg Access Cable Fund (#2922) in the amount of \$281,947.54 (Two Hundred Eighty - One thousand, Nine Hundred Forty-Seven Thousand and Fifty-Four cents) to MMTV and Melrose Public Schools.

From: City Council

ASSIGNED TO COMMITTEE

IV. ADJOURNMENT



CHARLES D. BAKER
GOVERNOR

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

KARYN E. POLITO
LIEUTENANT GOVERNOR

November 15, 2022

Dear Mayor Paul Brodeur,

Congratulations! I am pleased to notify you that the City of Melrose has been awarded a Sustainable Materials Recovery Program grant in the amount of \$15,600. I want to thank you for your commitment to reducing waste and increasing recycling for the benefit of our communities and the environment.

Enclosed you will find further instructions from the Department of Environmental Protection on next steps. Please feel free to contact Janine Bishop at Janine.Bishop@mass.gov if you have any questions.

Governor Charles D. Baker

Lt. Governor Karyn E. Polito

Handwritten signatures of Governor Charles D. Baker and Lieutenant Governor Karyn E. Polito in blue ink.



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Carr
Secretary

Martin Suuberg
Commissioner

November 15, 2022

Mayor Paul Brodeur
City of Melrose
562 Main Street
Melrose, MA 02176

Dear Mayor Brodeur,

Congratulations! It is my pleasure to inform you that the Massachusetts Department of Environmental Protection (MassDEP) has awarded the City of Melrose Recycling Dividends Program funds under the Sustainable Materials Recovery Program. The City of Melrose has earned 12 points and will receive \$15,600.

The Sustainable Materials Recovery Program (SMRP) was created under 310 CMR 19.300-303 and the Green Communities Act, which directs a portion of the proceeds from the sale of Waste Energy Certificates to recycling programs approved by MassDEP. We are awarding over \$4.2 million in SMRP funding to 270 municipalities and regional groups in this round of funding.

Recycling programs play a vital role in limiting our dependence on landfills and incinerators, reducing greenhouse gas emissions and supporting economic activity in the Commonwealth. Recycling Dividend Program (RDP) funds foster investment in local programs including recycling equipment, organics diversion, outreach and education, pilot programs, school recycling, toxics reduction and more. Please refer to the [RDP Approved Expenses List](#) for more information. MassDEP has invested in developing nationally recognized tools to assist municipalities with reducing recycling contamination and improving public awareness of smart recycling practices. We encourage you to utilize the [Recycling IQ Kit](#) and [Recycle Smart MA](#) website and to consult with your MassDEP [Municipal Assistance Coordinator](#) for assistance in implementing these best practices.

To accept your grant award, please sign and return the attached RDP Contract via email before January 15, 2023. After we receive your signed RDP contract, funds will be sent to your community. See the enclosed checklist for further instructions related to your RDP grant. Should you have any questions, please email [Janine Bishop](mailto:Janine.Bishop@mass.gov) at Janine.Bishop@mass.gov.

Thank you for your continued commitment to recycling and waste reduction in Massachusetts.

Sincerely,

Martin Suuberg
Commissioner

cc: Alison Beucler, Environmental Outreach Coordinator

SIGN AND RETURN THIS DOCUMENT TO MASSDEP VIA EMAIL

**RECYCLING DIVIDEND PROGRAM CONTRACT (“RDP Contract”)
BETWEEN THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL PROTECTION (“MassDEP”)
AND THE City of Melrose (“Municipality”)**

Pursuant to the Green Communities Act, relevant provisions of which are codified at M.G.L. c. 25A, Section 11F(d) and the regulations promulgated thereunder at 310 CMR 19.300 and in support of the Massachusetts Solid Waste Master Plan developed pursuant to M.G.L. c. 16, Section 21, MassDEP has awarded the Municipality a Sustainable Materials Recovery Program grant under the Recycling Dividends Program (“RDP”). The Municipality has earned a payment of \$15,600.

The Recycling Dividends Program provides payments to municipalities that have implemented specific programs and policies proven to maximize reuse, recycling and waste reduction. Municipalities receive payments according to the number of criteria points their program earns based on the *2022 Details: Recycling Dividends Program* and number of residents served as described below. RDP provides an incentive for municipalities to improve their recycling programs by implementing best practices and rewards communities with model recycling and waste reduction programs.

Duration: The term of this Contract shall be in effect until the municipality has expended all RDP funds and reported to MassDEP on use of funds.

RESPONSIBILITIES OF THE MUNICIPALITY

1. **Authority:** The Signatory of this RDP Contract is authorized by the governing body of the Municipality to enter into this Contract on behalf of the Municipality and apply for and accept funds on behalf of the Municipality.
2. **Commonwealth Terms and Conditions:** The Municipality shall comply with the Commonwealth Terms and Conditions and other requirements set forth in the Municipality’s executed Master Service Agreement.
3. **Failure to Comply:** If, in the judgment of MassDEP, the Municipality fails to comply with any of its responsibilities identified in this Contract, then, at the election of MassDEP, (a) the Municipality shall repay the RDP funds to MassDEP within 90 days; and/or (b) title to all materials purchased with the RDP funds immediately and without any further steps shall be transferred to MassDEP; and/or (c) MassDEP may find the Municipality not eligible to seek another Sustainable Materials Recovery Program Grant for up to three years. MassDEP may provide written notice to the Municipality of any such failure to comply. Such notice may provide a time period and manner for the Municipality to cease or remedy the failure. Such notice from MassDEP of any such failure by the Municipality is not a precondition to MassDEP’s right to select options (a), (b), and/or (c) above. The Municipality shall follow the instructions of MassDEP regarding possession of the materials purchased with RDP funds. The Parties hereby agree to execute any and all documents necessary to accomplish said transfer. Furthermore, the Municipality shall transfer or arrange to transfer actual possession of said materials to an authorized representative of the Commonwealth of Massachusetts or its designee.
4. **Recycling in Practice:** The Municipality has established paper, bottle and can recycling in all municipal buildings, offices and meeting spaces, including schools. The Municipality shall continue such paper, bottle and can recycling during the term of the RDP Contract.
5. **Notification of Buy Recycled Policy:** The Grantee has established a written policy which promotes a preference for the purchase of recycled products in lieu of non-recycled products and distributes an annual notification of the Buy Recycled Policy, ordinance or by-law to all staff, department heads and employees with purchasing authority. This notice should be sent from the Mayor, Board of Selectmen, Town Manager, Town Administrator, or Chief Purchasing or Procurement Officer; and should include specific language encouraging the purchase of recycled products as it supports municipal recycling collection programs, recycling markets, and supports closed loop recycling. The Grantee shall submit the annual notification to MassDEP on or before February 15th during the term of the Grant. Failure to submit by this deadline will result in the loss of an RDP point.

SIGN AND RETURN THIS DOCUMENT TO MASSDEP VIA EMAIL

6. **RDP Payment Calculation:** MassDEP has calculated the RDP Payment using the table below which shows payment brackets based on the number of households served by the municipal solid waste program and the point value for each bracket. *See Details: Recycling Dividends Program guidance document for additional information on point value.*

RDP Payment Brackets

# of Households that Receive Trash Service Provided by the Municipality	Point Value Basic Level 1-9 pts.	Point Value Advanced Level ≥ 10 pts. or RDP EJ Populations
0 - 1,999	\$245	\$350
2,000 - 4,999	\$420	\$600
5,000 - 7,499	\$770	\$1,100
7,500 - 9,499	\$910	\$1,300
9,500 - 12,499	\$1,260	\$1,800
12,500 - 16,999	\$2,100	\$3,000
17,000 - 24,999	\$2,450	\$3,500
25,000 - 31,999	\$2,800	\$4,000
32,000 - 99,999	\$4,550	\$6,500
100,000 +	\$7,000	\$10,000

7. **Program Criteria:** The Municipality, through its RDP application, certifies that all points earned are for programs that were in place between July 1, 2021 and June 30, 2022 and that these programs fully meet the performance standard set forth in the *2022 Details: Recycling Dividends Program guidance document*.
8. **Use of Funds:** RDP Payments shall be expended on activities and programs listed on the Approved Spending Categories for Recycling Dividends Program and Regional Small Scale Initiative Funds, to enhance the performance of the Municipality's waste reduction programs. Use of a dedicated account is recommended. Funds may be carried over to future years and accumulated to fund a larger eligible expense or project. Planned use of funds shall be noted on the Annual RDP Spending Report. However, MassDEP may delay future RDP payments if municipality is not expending funds.
9. **Record Keeping:** The Municipality shall be responsible for keeping documentation (i.e. proof of purchase in the form of an invoice which lists the vendor name and address, item purchased, item price, number of items purchased and shipping costs if any) by calendar year, of how RDP funds were expended and the remaining balance of RDP funds. MassDEP may conduct record audits to ensure compliance with this Contract.
10. **Reporting:** By February 15th of each year, for the duration of the Contract, the Municipality shall submit the annual Recycling and Solid Waste survey and the RDP Spending Report through its ReTRAC Connect™ account. Submission of the Annual Notification of Buy Recycled Policy as described in condition 5. above is also required. Failure to comply with these reporting requirements will result in the loss of one RDP point and may jeopardize future grant awards and RDP payments.
11. **Environmental Compliance:** The Municipality understands receipt of RDP funds from MassDEP does not in any way imply that the Municipality is in compliance with applicable environmental regulations. This Municipality shall not be construed as, nor operate as, relieving the Municipality or any other person of the necessity of complying with all applicable federal, state, and local laws, regulations and approvals. The Municipality's facility(ies) are subject to inspection at any time by MassDEP and noncompliance with applicable environmental regulations may result in formal enforcement actions, including penalties.
12. **Addendums:** Should MassDEP award additional RDP funds, an addendum to the Contract shall be provided to the Municipality. The same terms and conditions apply to the addendum.

SIGN AND RETURN THIS DOCUMENT TO MASSDEP VIA EMAIL

13. RDP Payment Calculation:

The Municipality's payment has been calculated as follows:

(NET RDP POINTS EARNED) x (VALUE OF EACH POINT)

a. Bulky Items	0
b. Center for Hard to Recycle Materials	2
c. Curbside Recycling Regulation	0
d. Diversity, Equity, and Inclusion	0
e. Household Hazardous Waste	2
f. Organics	1
g. Recycling Center Access	1
h. ReUse Programs	2
i. Solid Waste Reduction	0
j. Textile Recovery Initiative	1
k. Outreach and Education	1
l. Yard Waste	2
 TOTAL RDP POINTS EARNED	 12
 POINT DEDUCTED DUE TO LATE SUBMISSION	 N/A
 NET RDP POINTS EARNED	 12
 VALUE OF EACH POINT	 \$1,300
 RDP PAYMENT AMOUNT	 \$15,600

IN WITNESS WHEREOF, MassDEP and the Municipality hereby execute this Contract.

COMMONWEALTH OF MASSACHUSETTS

By: _____

John Fischer, Deputy Division Director
Bureau of Air and Waste
Department of Environmental Protection

Date

City of Melrose

Municipal Official(s) Authorized to sign: **Mayor, Director DPW, Assist DPW Director, Admin Finance**

By: _____

Signature

Title_____
Date_____
Print Name



CITY OF MELROSE

DEPARTMENT OF PUBLIC WORKS
Administration & Engineering–Water–Sewer–Facilities
Park & Forestry–Highway–Sanitation–Cemetery–Fleet

3.1.c

Elena Proakis Ellis, P.E., BCEE
Director of Public Works

City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone – (781) 979-4172
E-mail: eproakis@cityofmelrose.org

MEMORANDUM

To: Mayor Paul Brodeur
Melrose City Council

From: Elena Proakis Ellis, P.E., Director of Public Works

cc: Patrick Dello Russo, CFO/Auditor
Kerriann Golden, Assistant Auditor
Margot Fleishman, Director of Strategic Initiatives
James Troup, Assistant DPW Director – Administration & Finance
Alison Beucler, Environmental Outreach Coordinator

Date: November 16, 2022

Re: Mass DEP Recycling Dividends Program Grant

As a result of our annual application to the Massachusetts Department of Environmental Protection, the City of Melrose Department of Public Works Solid Waste and Recycling team is proud to report that we have qualified for and received an award of \$15,600. Due to the efforts of our current Environmental Outreach Coordinator and her predecessor, this is an increase of \$3,900 over last year's award. Congratulations and thank you go to Lisa Scott and especially to Alison Beucler.

As part of the application process, the City of Melrose identifies all of the recycling initiatives that are part of our operation and available to the residents. These practices qualify us for points that are the criteria to determine the amount of the award available to the City. The maximum available is \$33,800. Every effort is being made to achieve that goal.

The City achieved points for our efforts toward Organics collection, a Re-Use program (ex. Zero Waste Days), Yard Waste operations, Household Hazardous Waste and CHaRM (Center for Hard to Recycle Materials) events, Outreach and Education efforts, Recycling Center Access (City Yard drop-off), and Textile diversion. Each point was worth \$1,300.

This award goes a long way to supplement our operating budget and is 100% dedicated to our recycling effort. The money is used to purchase needed supplies and educational materials, and to fund the services that drive recyclable materials out of the trash stream. The desired goal includes reduced costs on our curbside trash collection, less contamination in our recycling materials, and increased sustainability.

We formally request acceptance of this grant award of \$15,600 from the Mass DEP for our Recycling Dividends Program. Funds will be deposited into our Solid Waste and Recycling revolving account that has been set up by the City Auditor. There is no cost or encumbrance required to enter into this agreement and there will be no effect on the FY23 or FY24 Operating Budget.

Attachment: RDP Nov 2022 (ORDER-2023-41 : Acceptance of Massachusetts Department of Environmental Protection Recycling Dividend



Checklist for Recycling Dividends Program Grant Award

This document contains important grant deadlines and requirements

STEP ONE: EXECUTING THE CONTRACT

It is the responsibility of the municipal Recycling Contact to ensure that the RDP Contract is signed by an **individual currently holding one of the Titles** listed on the Authorized Signatory Listing form, which your municipality filed with MassDEP in 2022. If the person(s) listed on the form has changed (for example, a new Mayor has been elected), the municipal official with the same title may sign the RDP Contract and a new Authorized Signatory Listing form **IS NOT REQUIRED**.

Please sign and email the RDP Contract to wilfred.mbah@mass.gov for processing of payment no later than **January 15, 2023 or funds may be forfeited**. Acceptable forms of signature are:

1. Traditional "wet signature" (ink on paper, scan, and email).
2. Electronic signature that is either hand drawn using a mouse or finger if working from a touch screen device; or
3. Electronic signature affixed using a digital tool such as Adobe Sign or DocuSign.

STEP TWO: TRACK EXPENDITURES BY APPROVED EXPENSE CATEGORY

- This is not a reimbursement-based grant. Your award payment will be processed as soon as the RDP Contract is returned.
- However, you are required to keep track of approved expenditures, by expense categories. Please review the list of [Approved Spending Categories](#) to determine the appropriate category. Items/activities are listed in the category deemed most appropriate in cases where there is overlap.
- Be prepared to be audited.

STEP THREE: REPORT EXPENDITURES AND REMAINING BALANCE

- The municipality is required to report all expenditures from the previous calendar year no later than February 15th.

Contact [Wilfred Mbah](#) with any questions.

Ghobrial, Andrew

From: Grigoraitis, Jennifer
Sent: Monday, December 19, 2022 5:45 PM
To: Ghobrial, Andrew
Subject: Fw: PEG cable access appropriation

can you add this to the order when you have a chance? Apologies I thought I sent this earlier but apparently it didn't go through.

[Jen Grigoraitis, she/her/hers](#)
[Ward 6 Councilor, City of Melrose](#)

From: Phillips, Shannon <sphillips@CityofMelrose.org>
Sent: Friday, December 16, 2022 2:57 PM
To: Dello Russo, Patrick <PDelloRusso@CityofMelrose.org>; Grigoraitis, Jennifer <jgrigoraitis@CityofMelrose.org>
Cc: Golden, Kerriann <kgolden@CityofMelrose.org>; *Mayor Brodeur <pbrodeur@CityofMelrose.org>
Subject: RE: PEG cable access appropriation

Also as a quick point of clarification, pursuant to the federal Cable Communications Policy Act a municipality may request a maximum of 5% of the cable operator's (Comcast /Verizon) annual gross revenue from operating in the municipality- hence the reason for the 5% requirement in both licenses.

Thank you.

[Shannon T. Phillips](#)
[City Solicitor](#)
[City of Melrose](#)
[562 Main Street](#)
[Melrose, MA 02176](#)
[\(781\) 979-4184](#)



From: Phillips, Shannon <sphillips@CityofMelrose.org>
Sent: Friday, December 16, 2022 12:47 PM
To: Dello Russo, Patrick <PDelloRusso@CityofMelrose.org>; Grigoraitis, Jennifer <jgrigoraitis@CityofMelrose.org>
Cc: Golden, Kerriann <kgolden@CityofMelrose.org>; Mayor Brodeur <pbrodeur@CityofMelrose.org>
Subject: RE: PEG cable access appropriation

Good afternoon Jen:

Thank you for your email.

Under Massachusetts General Laws chapter 166A section 1, the Mayor is the Issuing Authority of cable licenses for the City of Melrose. These license agreements require 5% of annual gross revenues to be paid by the providers (Comcast and Verizon) to the Issuing Authority (or PEG Access designee) for PEG Access Channel operating support or other PEG

Attachment: PEG cable access appropriation (ORDER-2023-43 : An Appropriation from PEG Access)

Access Channel costs and expenses. By law, the allocation of these funds is at the discretion of the Issuing Authority -i.e. choosing the % split between MMTV and the schools is at the Mayor's discretion and not the subject of a signed agreement.

Rather, per precedent set by previous administrations since at least 2013, 4% has been allocated from these funds to go to MMTV and 1% to the City- this 1% as I understand it has historically gone to the schools once received (see the attached letter from Mayor Dolan indicating these % splits).

Since June of 2019, given the new regulations put in place requiring Council appropriation, the 5% has been paid into the PEG Access Cable Fund set up pursuant to M.G.L. c. 44, s. 53 ¾ to be spent for PEG Access purposes, and appropriations from that fund have been requested. The current administration is using the same % split allocation of funding as used in recent years in the City.

As an FYI, the Order you reference below is the 7th time (since June of 2019) City Council is being asked to appropriate funds from this account using the same % splits between MMTV and Schools.

Thank you.

Shannon T. Phillips

City Solicitor

City of Melrose

562 Main Street

Melrose, MA 02176

(781) 979-4184



From: Grigoraitis, Jennifer <jgrigoraitis@CityofMelrose.org>

Sent: Thursday, December 15, 2022 4:25 PM

To: Phillips, Shannon <sphillips@CityofMelrose.org>; Dello Russo, Patrick <PDelloRusso@CityofMelrose.org>

Subject: PEG cable access appropriation

Hi Shannon & Patrick,

Order 2023-43, appropriation of the PEG cable access fund, is before the A&O comm on Monday night. The order states:

An Appropriation from the PEG Access Cable Fund (#2922) in the amount of \$225,558.03 to MMTV and \$56,389.51 to Melrose Public Schools for fees received year to date. The receipts requested for appropriation represent MMTV's 4.00% and Melrose Public School's 1.00% of the City of Melrose PEG Access Agreement. Fund 2922 was established by Council Order on 6/17/19 Order 2019-109 and under MGL Chapter 44 Section 53F 3/4.

Can you confirm how the percentage split between it and MHS for these funds is determined? And how this is negotiated/documentated? I am trying to understand if the City plays any formal role in this, either be determining the split or signing an MOU or other agreement.

Thanks,

Jen

Attachment: PEG cable access appropriation (ORDER-2023-43 : An Appropriation from PEG Access)

Jen Grigoraitis, *she/her/hers*

Ward 6 Councilor, City of Melrose

****CITY OF MELROSE PUBLIC RECORDS NOTICE: Please be advised that the Massachusetts Attorney General has determined that email is a public record unless the content of the email falls within one of the stated exemptions under the Massachusetts Public Records Laws.****

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Attachment: PEG cable access appropriation (ORDER-2023-43 : An Appropriation from PEG Access)